

S2140

CONGRESSIONAL RECORD — SENATE

February 17, 1967

Sec. 5. The Secretary may undertake programs for water salvage along and adjacent to the main stream of the Colorado River and for ground water recovery. Such programs shall be consistent with maintenance of a reasonable degree of undisturbed habitat for fish and wildlife in the area, as determined by the Secretary.

Sec. 7. The Upper Colorado River Basin fund established under section 5 of the Act of April 11, 1956 (70 Stat. 107), shall be reimbursed from the Colorado River development fund established by section 2 of the Boulder Canyon Project Adjustment Act (54 Stat. 755), for all expenditures heretofore or hereafter made from the Upper Colorado River Basin fund to meet deficiencies in generation at Hoover Dam during the filling period of reservoirs of storage units of the Colorado River storage project pursuant to the criteria for the filling of Glen Canyon Reservoir (27 Fed. Reg. 6851, July 19, 1962). For this purpose \$500,000 for each year of operation of Hoover Dam and powerplant, commencing with the enactment of this Act, shall be transferred from the Colorado River development fund to the Upper Colorado River Basin fund, in lieu of application of said amounts to the purposes stated in section 2(d) of the Boulder Canyon Project Adjustment Act, until such reimbursement is accomplished. To the extent that any deficiency in such reimbursement remains as of June 1, 1967, the amount of the remaining deficiency shall then be transferred to the Upper Colorado River Basin fund from net revenues derived from the sale of electric energy generated at Hoover Dam.

Sec. 8. Nothing in this Act shall be construed to alter, amend, repeal, modify, or be in conflict with the provisions of the Colorado River Compact (45 Stat. 1057), the Upper Colorado River Basin Compact (63 Stat. 31), the Water Treaty of 1944 with the United Mexican States (Treaty Series 994), the decree entered by the Supreme Court of the United States in Arizona against California, and others (376 U.S. 340), or, except as otherwise provided herein, the Boulder Canyon Project Act (45 Stat. 1057), the Boulder Canyon Project Adjustment Act (54 Stat. 774) or the Colorado River Storage Project Act (70 Stat. 105).

Sec. 9. The Secretary is directed to—

(a) make reports as to the annual consumptive uses and losses of water from the Colorado River system after each successive five-year period, beginning with the five-year period starting on October 1, 1965. Such reports shall be prepared in consultation with the States of the lower basin individually and with the Upper Colorado River Commission, and shall be transmitted to the President, the Congress, and to the Governors of each State signatory to the Colorado River Compact.

(b) condition all contracts for the delivery of water originating in the drainage basin of the Colorado River system upon the availability of water under the Colorado River Compact.

Sec. 10. (a) The Secretary shall propose criteria for the coordinated long-range operation of the reservoirs constructed and operated under the authority of the Colorado River Storage Project Act and the Boulder Canyon Project Act, consistent with the provisions of those statutes, the Boulder Canyon Project Adjustment Act, the Colorado River Compact, the Upper Colorado River Compact and the Mexican Water Treaty. To effect in part the purposes expressed in this paragraph, the criteria shall make provision for the storage of water in storage units of the Colorado River Storage Project and releases of water from Lake Powell in the following listed order of priority:

(1) Release to supply one-half the deficiency described in article III(c) of the

Colorado River Compact, if any such deficiency exists and is chargeable to the States of the upper division.

(2) Releases to comply with article III(d) of the Colorado River Compact.

(3) Storage of water not required for the releases specified in clauses (1) and (2) of this subsection to the extent that the Secretary, after consultation with the Upper Colorado River Commission and representatives of the three lower division States and taking into consideration all relevant factors (including, but not limited to, historic streamflows, the most critical period of record, and probabilities of water supply), shall find to be reasonably necessary to assure deliveries under clauses (1) and (2) without impairment of annual consumptive uses in the upper basin pursuant to the Colorado River Compact: *Provided*, That water not so required to be stored shall be released from Lake Powell: (i) to the extent it can be reasonably applied in the States of the lower division to the uses specified in article III(e) of the Colorado River Compact, but no such releases shall be made when the active storage in Lake Powell is less than the active storage in Lake Mead, (ii) to maintain, as nearly as practicable, active storage in Lake Mead equal to the active storage in Lake Powell, and (iii) to avoid anticipated spills from Lake Powell.

(b) Not later than July 1, 1968, the criteria proposed in accordance with the foregoing subsection (a) of this section shall be submitted to the Governors of the seven Colorado River Basin States and to such other parties and agencies as the Secretary may deem appropriate for their review and comment. After receipt of comments on the proposed criteria, but not later than January 1, 1969, the Secretary shall adopt appropriate criteria in accordance with this section and publish the same in the Federal Register. Beginning January 1, 1970, and yearly thereafter, the Secretary shall transmit to the Congress and to the Governors of the Colorado River Basin States a report describing the actual operation under the adopted criteria for the preceding compact water year and the projected operation for the current year. As a result of actual operating experience or unforeseen circumstances, the Secretary may thereafter modify the criteria to better achieve the purposes specified in subsection (a) of this section, but only after correspondence with the Governors of the seven Colorado River Basin States and appropriate consultation with such state representatives as each governor may designate.

(c) Section 7 of the Colorado River Storage Project Act shall be administered in accordance with the foregoing criteria.

Sec. 11. (a) Rights of the upper basin to the consumptive use of water apportioned to that basin from the Colorado River system by the Colorado River Compact shall not be reduced or prejudiced by any use of such water in the lower basin.

(b) Nothing in this Act shall be construed so as to impair, conflict with or otherwise change the duties and powers of the Upper Colorado River Commission.

Sec. 12. Except as otherwise provided in this Act, in constructing, operating, and maintaining the central Arizona project, the Secretary shall be governed by the Federal reclamation laws (Act of June 17, 1902; 32 Stat. 388 and Acts amendatory thereof or supplementary thereto) to which laws this Act shall be deemed a supplement.

Sec. 13. (a) All terms used in this Act which are defined in the Colorado River Compact shall have the meanings there defined.

(b) "Main stream" means the main stream of the Colorado River downstream from Lee Ferry within the United States, including the reservoirs thereon.

(c) "User" or "water user" in relation to

main stream water in the lower basin means the United States, or any person or legal entity, entitled under the decree of the Supreme Court of the United States in Arizona against California, and others (376 U.S. 340), to use main stream water when available thereunder.

(d) "Active storage" means that amount of water in reservoir storage, exclusive of bank storage, which can be released through the existing reservoir outlet works.

(e) "Colorado River Basin States" means the States of Arizona, California, Colorado, Nevada, New Mexico, Utah, and Wyoming.

Sec. 14. There is hereby authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, such sums as may be required to carry out the purposes of this Act.

USE OF CENTRAL INTELLIGENCE AGENCY FUNDS

Mr. YOUNG of North Dakota. Mr. President, it is understandable that there would be concern and controversy over recent disclosures that Central Intelligence Agency funds were being used to help to pay the costs of the National Student Association representatives at student conferences all over the world.

One of the best explanations and justifications for this use of funds is contained in a column entitled "The CIA-Students Controversy," written by David Lawrence and published in the Washington Evening Star of February 16, 1967.

I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

THE CIA-STUDENTS CONTROVERSY

(By David Lawrence)

The United States is today at war with Communist enemies. The gathering of intelligence is an important factor in the conflicts that are arising throughout the world. Yet when the Central Intelligence Agency endeavors to collect information by enlisting the co-operation of American student organizations, a hullabaloo is raised and members of Congress start talking about derogatory investigations that could frustrate America's information-gathering in foreign countries.

Both the Russians and the Red Chinese have infiltrated student organizations in the United States which are fomenting discord and starting demonstrations to help turn public opinion against the American government. The U.S. Central Intelligence Agency has by no means engaged in any such activities abroad, but has merely sought the co-operation of American students visiting foreign lands so as to help the government here to keep abreast of what is going on in various countries.

While the United States government ever since 1952 has spent approximately \$300,000 a year to pay expenses of the information-gathering operation by American students, the Soviet Union has been furnishing at least \$10 million to \$20 million a year to student organizations that do not just gather information but actually engage in subversive activities in other countries.

The CIA drew the line—it did not ask any student to participate in subversive activities of any sort abroad, but merely to let the United States government know what was happening in student circles which could affect the United States. This is important because of the international scope of the student associations which reach into virtually every part of Europe, Asia, Africa and Latin America.

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Again and again, the United States has been confronted by "student demonstrations" that have been hostile to American officials, including ambassadors and ministers. To find out how these activities are organized is important to the government and so that steps can be taken to anticipate and to thwart such moves if possible.

The Federal Bureau of Investigation operates within the United States, while the CIA operates on its work only in foreign countries. The FBI has repeatedly told members of Congress about the activities of students inside this country who are members of the Communist party or who are affiliated with groups financed by the Soviet Government.

If there are to be investigations in Congress of what the CIA has done to gather information, it would be logical to expect a thoroughgoing inquiry also into the leadership and financing of certain student groups within the United States. Some of them have been in contact with members of Congress and have submitted demands that are really in the interest of Communist governments abroad.

The CIA has had nothing to do with the operations of student organizations within the United States itself. Whatever financial help it has given has been to officers of student associations who have been in charge of matters related to trips of American students abroad, particularly to Communist countries.

Many an American businessman and other travelers have been interviewed by the CIA after their return from Communist lands, and there is no impropriety in giving one's own government any information that might be useful to it in the war against communism.

The FBI undoubtedly has plenty of evidence of the activities of the Soviet government inside the United States among student organizations. A comprehensive inquiry into the "student demonstrations" in recent months would expose to public view what the United States is up against in foreign lands as well as inside America.

It is amazing to find that some members of Congress are so unfamiliar with the perplexing problems of gathering intelligence in other countries that they are preparing unwittingly to handicap the United States government in its efforts to learn what is being done to damage American interests throughout the world.

RANDOLPH CITES U.S. CHAMBER OF COMMERCE POSITION IN SUPPORT OF CIVIL EQUALITY FOR ALL AMERICANS

Mr. RANDOLPH. Mr. President, as a cosponsor of the bill introduced by my capable colleague from Michigan (Mr. Hart), to implement the President's message on civil rights, I bring to the attention of Senators, excerpts from the third report of the Task Force on Economic Growth and Opportunity, of the Chamber of Commerce of the United States. These constitute cogent comment.

I ask unanimous consent to have this material printed at this point in the RECORD.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

EXCERPTS FROM INTRODUCTION TO "THE DISADVANTAGED POOR: EDUCATION AND EMPLOYMENT"; THIRD REPORT, TASK FORCE ON ECONOMIC GROWTH AND OPPORTUNITY; CHAMBER OF COMMERCE OF THE UNITED STATES

First, the moral and political principles of this nation are predicated upon a belief in equality of opportunity for all Americans.

Second, we are proud of our competitive society. Competition is basic to an efficient and free economy and opportunity is fundamental to competition. The systematic exclusion of any ethnic group from full participation is not only morally and politically wrong, but economically wasteful as well.

What sense does it make to ignore or minimize the potential contribution of 24 million Americans? What enterprise would squander more than ten percent of its potential labor force, its future management, or its budding researchers and technicians? Yet this is the consequence of persistently denying minority Americans equality of opportunity in education and employment. In fact, the consequences are more costly for a society than for an individual enterprise. An enterprise incurs only the penalty of lost profits through squandered resources. A society incurs far greater costs because less-than-equal opportunity breeds economic waste through paternalism, unemployment, poverty, and unnecessary social and political unrest.

Freedom of entry—freedom of competitive opportunity—is a key element in the successful operation of any free market. A society makes the most of its endowment, human and material, only when its resources are free to flow to their most productive uses. This economic truism is the pragmatic justification for ensuring all citizens equal access to jobs, education, and public facilities. And in it also lies the key to the argument for access to private goods unhampered by artificial restraints, for in a free society, private goods are a major incentive. They are the rewards earned on the basis of achievement by those who have contributed to prosperity. Public goods and private goods differ, and the appropriate criteria for "equal" access to each differ also, but they are two sides of the same coin. We diminish our productive capacities by arbitrarily limiting access to either.

The opportunity to secure private goods and services is one of the chief motivations used by an enterprise economy to extract maximum effort from its participants. Rewards for productive and useful effort come in the form of the ability to satisfy personal or family wants—in other words, in money. We have equal access to private goods and services only insofar as we can bid equally for them, up to the limits set by the amount of money we have.

Discrimination destroys this "equal" opportunity to gain for oneself an amount of material satisfaction commensurate with the reward earned. It in effect establishes a second incentive structure for the disadvantaged—one which does not adequately reward achievement. For even if money wages paid a minority worker are equal to those paid his nonminority colleagues, he is more restricted than they in the amount of satisfaction his wages can purchase. He may most wish to purchase a suburban house or send his child to a fine private school. If he cannot, he must settle for second best. His money buys "less," in that he cannot get maximum satisfaction per dollar. His incentive to earn by contributing to production is seriously diminished, and the entire society pays the price in lost output.

To operate at peak economic and social efficiency, it is necessary to remedy this economic impediment. But private consumption is too intimately entwined with personal liberty, involving as it does the economic determination of an individual's life style, that we must make sure that the "cure" does not merely compound the disease. Every effort should be made to secure cooperation by all citizens in ending discrimination. Where minor discomfort will attend the major gains to be secured by eliminating discrimination in access to pri-

vate goods or where the "private" goods or services in question are publicly supported or subsidized in part by public funds or by tax concessions, then the balance must be struck in favor of eliminating the discrimination by law, if all else fails. Equity forbids the use of funds derived in part from minority groups to support institutions which disadvantage them, and common sense militates against the use of public funds to support practices which diminish the wealth of the society.

TRADE BARRIERS TO CALIFORNIA WINE

Mr. MURPHY. Mr. President, after weathering their experience under the Articles of the Confederation, our forefathers rightfully deemed it undesirable, unwise, and downright foolish to permit individual States to erect artificial trade barriers to products coming from other States. As a result of this experience, the power to regulate commerce between the States was granted to the Federal Government in the Federal Constitution. Fifty individual States have thus been molded into one viable and common national market. Trade in commerce moves freely between the States. The wisdom of such a policy is self-evident. This Nation has grown and has created for its people prosperity unparalleled in the history of mankind.

In my State, agriculture is our leading industry. It is an industry of over \$3 billion annually. The wine industry plays a major part in California's great agriculture. California wine accounts for approximately 85 percent of all wine produced in the United States. It has received national and international acclaim.

Because this is such an important industry in my State, I am naturally concerned about discriminatory trade barriers that some States have erected against California wines.

I do not believe it was the intention of the 21st amendment to the Constitution to create trade barriers that restrict the free movement of products between the States. I therefore heartily endorse the action of the California State Legislature in focusing the country's attention on this serious matter.

Consistent with the Nation's philosophy on free trade among the States, the farmers and vintners deserve fair and equal treatment at the hands of all their sister States.

Accordingly, I urge the prompt elimination of discriminatory trade barriers against California.

Mr. President, I ask unanimous consent that two resolutions on this subject, adopted by the California Legislature, be printed in full in the RECORD.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

ASSEMBLY JOINT RESOLUTION NO. 2
Joint resolution relative to discriminatory trade barriers against California wines

Whereas, Grapes and wine constitute one of the major agricultural industries of the State of California, and California produces approximately 85 percent of all wine produced in the United States; and

Whereas, The grape and wine and allied industries also enhance the economic welfare of the state by the employment of many thousands of people;

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